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CENTER FOR BIOLOGICAL DIVERSITY

UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA

CENTER FOR BIOLOGICAL	)	No. 4:08-CV-00535-TUC-FRZ (DTF)
DIVERSITY,	)	
	)	<b>STIPULATED EXTENSION</b>
Plaintiff	)	<b>OF DEADLINE FOR FILING</b>
	)	<b>FEE PETITION</b>
vs.	)	<b>(FIRST REQUEST)</b>
	)	
U.S. FISH AND WILDLIFE SERVICE,	)	
	)	
Defendant .	)	
_____	)	
_____	)	

As envisioned in paragraph 6 of the parties' Stipulated Settlement in this case, (dkt # 51), Plaintiff (Center for Biological Diversity), and Federal Defendant (U.S. Fish and Wildlife Service), are currently in negotiations to resolve Plaintiff's claim for fees and costs. The Stipulated Settlement further envisions that should the parties be unable to resolve any dispute over fees and costs, Plaintiff shall file a fee petition within 45 days of the entry of the Settlement, which time period will run on March 1, 2010.

Given the ongoing good faith negotiations to resolve Plaintiff's claim to fees and costs without the need for Court intervention, Plaintiff and Federal Defendant hereby stipulate to a thirty (30) day extension, until March 31, 2010, by which time they shall either file a stipulated agreement resolving Plaintiff's claim to fees and costs, or a Joint Status Report informing the Court of the continuing progress or failure of their negotiations, in which case a proposed briefing schedule for Plaintiff's fee petition shall also be included. Plaintiff and Federal Defendant respectfully request that the Court enter the Proposed Order filed herewith approving this stipulation.

Respectfully submitted this 23<sup>rd</sup> day of February, 2010.

s/ Geoff Hickcox  
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